

DETERMINATION AND FINDINGS
FOR
SOLE SOURCE

Contract No.: CW15529
Caption: Harbor Patrol Vessel
Proposed Contractor: Workskiff, Inc.
Program Agency: Metropolitan Police Department (MPD)

FINDINGS

1. **Authorization:**

D.C. Official Code §2-354.04, and 27 DCMR Section 1702.3

2. **Minimum Need:**

The Government of the District of Columbia, Office of Contracting and Procurement, on behalf of the MPD, Harbor Patrol, is seeking a contractor to provide a 23' center console multi-purpose patrol, search and rescue boat that can handle any situation similar to the boat previously purchased. The boat must have a large stable platform, be impervious to sinking in the event of a hull breach or in extreme weather conditions to ensure survivability of the crew and passengers and be fire resistant.

3. **Estimated Fair and Reasonable Cost:**

\$205,647.00

4. **Facts Which Justify Sole Source Procurement:**

Based on the market research conducted by the program, an aluminum hull boat is preferred over fiberglass. The aluminum construction is tougher and withstands impacts, achieving nearly 30 percent greater dent resistance. Fiberglass or steel can rupture severely and may crack or fracture on impact. In addition unlike petroleum-based resins in fiberglass boats, aluminum boats do not burn.

The District purchased the exact same boat in 2010 from a company by the name of Aluminum Chambered Boats (ACB) on a sole source basis. ACB had a patent on the aluminum pressurized air filled chambered hull under U.S. Patent 6,520,107 B1 and U.S. Patent 6,983,709 B2. Due to the aluminum hull, the ACB boat is virtually unsinkable and will float upright and level even in the event of a hull breach or swamping due to extreme weather conditions.

ACB recently declared bankruptcy. William Stoeller, via his trust took control of certain assets of the corporation, including certain designs, patents, and

intellectual property of the corporation. This included the patent and design of the boat that the District purchased in 2010.

Workskiff, Inc. then purchased the ACB assets, which included the design and patent of the boat from William Stoeller.

MPD has previously looked at boats supplied by Brunswick and Zodiac. Both companies produce fiberglass boats which will not best meet the MPD's minimum need.

Workskiff, Inc. is the only source for the patented boat. It is in the best interest for the District to purchase this from Workskiff, Inc. because the design best meet MPD's needs.

5. Certification by Agency Head:

I hereby certify that the above findings are correct and complete.

Date

Cathy L. Lanier, Chief
Metropolitan Police Department

6. Certification by Contracting Officer:

I hereby certify that the above findings are correct and complete.

Date

Gena Johnson
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with D.C. Official Code §2-354.04, I hereby determine that the subject contract may be procured using the sole source method of procurement.

Date

James D. Staton, Jr
Chief Procurement Officer